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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,627	05/25/2000	Andrew J. Prokop	NORT-0052-US (12054DMUS01)	6109
7590	01/05/2006			EXAMINER QURESHI, AFSAR M
Dan C Hu Trop Pruner & Hu PC Ste 100 8554 Katy Freeway Houston, TX 77024			ART UNIT 2667	PAPER NUMBER
DATE MAILED: 01/05/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/578,627	PROKOP ET AL.	
	Examiner	Art Unit	
	Afsar M. Qureshi	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 October 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,3-7,9-17,19,21,22 and 24-39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,3-7,9-17,19,21,22 and 24-39 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Response to Amendment

1. Responsive to amendment/REMARKS, received on 10/17/2005, the Examiner noted disqualification of Sollee (US 6,614,899) reference as prior art under 35 U.S.C. 103 (c) as pointed out by the Applicant. Rejection of claims 5-7, 9-10, 16, 24, 26-28, 32, 33, 35, 36 and 38 is withdrawn. A new rejection of the said claims is as under.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 4, 11-13, 15, 17, 19, 21, 22, 25, 29, 30, 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Tran et al. ("Tran"), US 6,154,646.

Claims 1,3,11,15,17,19,25,29,30 and 31 Tran discloses apparatus and methods for use in a user system for interactively selecting **call treatment** from call treatment options for an incoming call, method steps including:

Receiving, in the user system (see figure 1 and 2) an incoming call (*control message*) that invokes an application for a browser;

Receiving predetermine criteria (see figure 2, elements 33, 34), entered by a user through a user interface (see figure 1, elements 13, 14);

Comparing information (see figure 2, *user selection*) from the MS display along with call treatment options per installed browser interface, by a module different from receiving module (claim 11) (HTML browser like interface 13, figure 1); and

Loading a web page in the user system based on call information performing various services utilizing HDML protocol (see figure 1, elements 19, 21) (*protocol aware module*).

(see col. 2, lines 51-65, col. 13, lines 41 through col. 4, lines 1-21).

Claim 4. As discussed in the rejection of claim 1 above, Tran discloses establishing a call session based on selected real-time call treatment instructions and sends R-DATA messages to the MSC/BS 15 (see col. 3, lines 47-50, col. 4, lines 4-9) to establish a call session according to HDML protocol.

claims 12 and 13. Tran discloses that CATS HLPI includes identifiers for call treatment in the R-DATA message and includes (inherently) the identifiers of a caller and callee (col. 4, lines 1-8).

Claims 21 and 22. Tran discloses that real-time call-treatment instructions (software routine) corresponding to the web browser are provided (see col. 1, lines 66 through col. 2, lines 1 and col. 3, lines 35-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-7, 9-10, 16, 24, 26-28, 32, 33, 35, 36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran in view of Krishnaswamy et al. ("Krishnaswamy"), US 6,909,708.

Claims 5-7, 9-10, 16, 24, 26, 27, 28. As discussed in the rejection of claim 1 above, Tran discloses establishing a call session based on selected real-time call treatment instructions (col. 3, lines 60 through col. 4, lines 1-9). However, Tran does not explicitly disclose real-time audio based and text-based interactive communication according to SIP.

Krishnaswamy discloses method for use in an SIP clients system by establishing call sessions according to session initiation protocol (SIP) utilizing and "ITU-T" standard H.323 based video conferencing architecture includes real-time video, voice and data communication sessions (*claims 5- 7, 16, 24, 26-28*), see col. 129, lines 53 through col. 130, lines 1-25.

Krishnaswamy further discloses receiving through user interface accessible through PC software and a Web browser. The interface supports the customization applications (user-defined data) for to the web browser (see col. 66, lines 47-65). (*claims 9, 10, 21, 22*).

Therefore it would be obvious to one having skill in the art, at the time of invention, to modify Tran by utilizing SIP call session as by utilizing already known H.323 and similar techniques as described in ITU-T Standard and used by Krishnaswamy. This technique is used to initiate call sessions to invite members by other mechanism including real time transport protocol for transporting real time data, as desired by Tran (col. 1, lines 32-38). Therefore it would be obvious to one having skill in the art, at the time of invention,

Claims 32, 33, 35, 36, and 38. A URL is a string expression representing address on the World-Wide Web. Tran discloses a CATA handler¹⁴ that packages the user selected call-treatment options in a pop-up browser menu on the MS display. Tran fails to disclose a URL as claimed herein. However, Krishnaswamy, in his communication system architecture discloses receiving URL through user interface. The HTTP server maps all requests to a CGI script 460 (figure 41) based on the URL information requested (see col. 60, lines 30-43, col. 64, lines 41-49). Therefore, it would have been obvious to one having skill in the art, at the time of invention, to modify method of interactively selecting call treatment in real-time, by Tran, by utilizing methods of transfer of information across Internet, disclosed by

Krishnaswamy. This would allow a user to route multimedia information through a switched network that includes transfer of information across the Internet where users can manage more aspects of a network and control network activities from a central site.

4. Claims 14, 34, 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran applied to claim 1 above, in view of Nishi (US 6,681,395).
Tran does not expressly disclose some of user-defined rules as claimed herein. However, these rules are well known to one skilled in the art as disclosed by Nishi in col. 6, lines 50 through col. 7, lines 1-67, figures 10 and 10 A.
Therefore, it would have been obvious to a skilled artisan, at the time of this invention, to be able to create a template consisting of time, date, message subject, message priority and message direction in the call treatment menu of Tran in order to improve selection of desired program guides displaying programs stored in the terminal.

Response to Arguments

5. Applicant's arguments filed 10/17/2005 have been fully considered but they are not persuasive. The Applicant argued, in reference to claims 1, 3, 4, 11-13, 15, 17, 19, 21, 22, 25, 29, 30, 31, that Tran does not anticipate "*comparing, by the user system, information in the control message against the one or more predetermined criteria...*". The Examiner believes that this limitation is clearly anticipated by the cited art (see col. 4, lines 1-3) where "a user reviews the call information and selects...". As for the other

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rejection of other claims, Applicant's arguments are moot in light of new cited reference (Krishnaswamy, US 6,909,708).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afsar M. Qureshi whose telephone number is (571) 272 3178. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272 3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AFSAR QURESHI
PRIMARY EXAMINER
January 3, 2006